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Patent  
Case No.: 51362US010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: **YUSCHAK, GREGORY**

Application No.: **09/030394**

Group Art Unit: **3761**

Filed: **February 25, 1998**

Examiner: **Aaron J. Lewis**

Title: **RESPIRATOR HAVING SNAP-FIT FILTER CARTRIDGE**

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**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<b>CERTIFICATE OF TRANSMISSION</b>	
To Fax No.: 703-872-9302	2 Pages in Transmission
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:	
September 11, 2003.....	Signed by: Susan M. Dacko
Date	

Dear Sir:

In response to the Office Action mailed June 26, 2003, applicants submit the following remarks.

Claims 1-6, 9, 10, 14, 16, 18-20, 22, and 25-28 have been rejected under 35 USC § 102(b) as being anticipated by or, in the alternative, under 35 USC § 103(a) as being obvious over U.S. Patent 5,062,421 to Burns et al. Applicants respectfully submit that this rejection cannot be sustained.

In construing Burns, the Examiner recognizes that locking tabs 29 would need to be pushed radially inwards in order to separate the filter cartridge from the cartridge receiving structure when pulling on the cartridge. Nonetheless, the Examiner seems to conclude that these two separate manual manipulations would together constitute separating the filter cartridge from the cartridge receiving structure by pulling on it without any additional manual manipulation. Applicants submit that this is not a proper reading of claim language. The claim explicitly requires that the filter cartridge is capable of being readily separated from the cartridge receiving structure by manually pulling on the filter cartridge without any additional manual manipulation. The need to manually push tabs 29 inwardly constitutes additional manual manipulation beyond simply pulling on the filter cartridges to remove them from the cartridge receiving structure. The claim language itself and the preceding specification support this interpretation of the claim. Thus, applicants are at a loss to understand how the claim can be construed such that the need to

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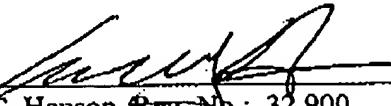
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push the locking tabs radially inward does not constitute additional manual manipulation beyond pulling on the filter cartridge. Accordingly, applicants respectfully ask the Examiner to clarify this issue if a notice of allowance is not forthcoming in the next Office Action.

Respectfully submitted,

September 10, 2003

Date

By:   
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